

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF AUGUST 4, 2006

(Published August 12, 2006, in *Finance and Commerce*)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

August 4, 2006 - 9:30 a.m.

Council President Johnson in the Chair.

Present – Council Members Lilligren, Benson, Gordon, Ostrow, Hofstede, Samuels, Goodman, Glidden, Schiff, Remington, Colvin Roy, Hodges and President Johnson.

Lilligren moved adoption of the agenda. Seconded.

Adopted upon a voice vote 8/4/2006.

Benson moved acceptance of the minutes of the special meeting of July 20, 2006, and the regular meeting of July 21, 2006. Seconded.

Adopted upon a voice vote 8/4/2006.

Remington moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 8/4/2006.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271381)

Land Sale: 1109 E 28th St.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271382)

Land Sales:

1518 Morgan Ave N & 1316-14th Ave N;

2826-14th Ave S;

2813 Bryant Ave S.

A Chance to Grow Academy Project (1800-2nd St NE): Preliminary & final approval to issue bonds for refinancing & rehabilitation of existing facility.

Metropolitan Council Livable Communities Demonstration Account: Endorsement of LCDA grant application of Hennepin County Housing & Redevelopment Authority for Hennepin County West Lowry Avenue Corridor Redevelopment.

Guthrie Theater Parcel (818-900 S 2nd St): Application to register possessory title to mined underground space.

1800 Plymouth Ave N Redevelopment Agreement: Authorize agreement & land sale for City-owned property with Olson Development Consultants, Inc & Mississippi Pathways Development Company, LLC.

COMMUNITY DEVELOPMENT and HEALTH & HUMAN SERVICES:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271383)
Living Wage/Job Linkage Report.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271384)
The Jourdain Mixed-Use Development (2000-12 Portland Ave): Authorize construction contract with Watson Forsberg Company.
NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (271385)
American Indian NRP Phase II Neighborhood Action Plan.

ELECTIONS (See Rep):

ELECTIONS DEPARTMENT (271386)
Instant Run-off Voting (IRV): a) Receive reports of 7/21/06 and 8/4/06; b) Adopt amended ordinance; and c) Approve ballot language.

HEALTH, ENERGY AND ENVIRONMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271387)
Workforce Investment Act: Authorize Mayor Rybak sign the Program Year 2006/2007 Local Plan for WIA.
HEALTH AND FAMILY SUPPORT SERVICES (271388)
Minneapolis Advisory Committee on People with Disabilities: Approve Mayoral appointment of James Hanson for two-year term to expire December 31, 2007.

HEALTH, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (271389)
Emergency Communications and Health Outreach (ECHO) Project: Execute contract with Minnesota Counties Research Foundation to act as fiscal agent for ECHO Project.
Health Care Coverage Assistance Services: Execute contract with Portico Healthnet to provide services to families of children enrolling in Public Schools who speak limited English.
REGULATORY SERVICES (271390)
Lead Hazard Reduction Project: Establish new grant funded position of Code Compliance Officer I for term of HUD Round XII grant project.

INTERGOVERNMENTAL RELATIONS:

GRANTS AND SPECIAL PROJECTS (271391)
Second Quarter 2006 Report.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

COUNCIL MEMBER SCHIFF (271392)
Chapter 249 Property at 1626 E Lake St: Summary of timeline of property.
INSPECTIONS DEPARTMENT (271393)
Chapter 249 Property at 1128 Lincoln St NE: Authorize demolition.
INSPECTIONS DEPARTMENT (271394)
Chapter 249 Property at 2018 James Av N: Authorize demolition.
LICENSES AND CONSUMER SERVICES (271395)
D'Amico Cucina (100 N 6th St): Passage of Resolution approving Business Licensing Pre-Enforcement Recommendations relating to On-Sale Liquor License.
Licenses: Applications.

LICENSES AND CONSUMER SERVICES (271396)

Divas Gentleman's Club: Deny Place of Entertainment License; and Grant Restaurant License.

REGULATORY SERVICES (271397)

Rental Dwelling Licenses at 309 24th Av N; 420 30th Av N; 3627 Lyndale Av N; 2228 Bryant Av N; 3514 Colfax Av N; 2334 Logan Av N; and 4418 Nicollet Av: Concur with recommendation of Director of Inspections to revoke, deny or non-renew licenses held by Jay Petsche for failure to meet licensing standards.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (271398)

Alarmed and Alert Smoke Alarm Program: Execute agreement with State of Minnesota Department of Health to participate in Program; Accept \$4,000 to reimburse Fire Department for program related costs; and Approve appropriation.

POLICE DEPARTMENT (271399)

Speed Limit Enforcement Program: Accept \$7,200 grant and execute agreement with Minnesota Department of Public Safety, State Patrol Division, to reimburse officer overtime costs for increased enforcement targeting speed violations and other enforcement to reduce accidents; and Approve appropriation.

Police Motorcycles: Execute one-year agreement with Fairbault Harley-Davidson to provide 11 police motorcycles to Patrol.

Underage Drinking: Accept \$3,000 and execute agreement with Minnesota Commissioner of Public Safety to support liquor compliance in Second Precinct for enforcement and investigation to address party houses in University of Minnesota area; and Approve appropriation.

REGULATORY SERVICES (271400)

Rubbish and Refuse Removal: OP #6400, increase contract with Trades Unlimited for a new two-year expenditure of \$400,000 by reallocating funds from existing contracts with lower expenditures.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (271401)

Temporary No Parking Posting: Set public hearing for 8/22/06 to consider amending Title 17, Chapter 447 of Code instituting a fee for the posting of "Temporary No Parking" signs along parade and/or race routes.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (271402)

Supervisory Control and Data Acquisition System (SCADA): Amend contract with EMA Services Inc extending completion date to 12/31/06.

Uptown Art Fair: Approve large block event and approve closure of Hennepin Av from 28th St to 31st St W.

Transtop Bus Shelter Franchise Transfer to CBS Outdoor: a) Set public hearing for 8/22/06; b) Authorize development of changes to Appendix G; and c) Authorize notice to Transtop that additional time is needed to consider transfer.

Carlyle Condominiums, 100 Third Av S: Appeal of encroachment permit denial for planters in public right-of-way.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (271403)

Central Av Paving Project: Amend contract with Park Construction Company extending contract expiration to 12/31/07.

2006 Grant Agreements for Non-Motorized Transportation Pilot Project: a) Authorize agreements between State of Minnesota and City to provide up to \$996,000 in federal grant funding; b) Authorize agreement with Transit for Livable Communities to perform work; and c) Increase appropriation and revenue.

Bids: Accept: a) OP 6624, low bid of Veit and Company, Inc for Heritage Park Hope VI stormwater ponds and park improvements; and b) OP 6633, low bid of Burner Services, Inc to furnish removal and replacement of hot water boiler at Government Center Ramp.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (271404)

Legal Settlement: Ren Xin Qiu v. the City of Minneapolis, Don Peddler, Linda Marie Monroe and Choice Auto Rental, Inc.

BUSINESS INFORMATION SERVICES (BIS) (271405)

Wireless Minneapolis: Approve adoption of the Wireless Minneapolis Digital Inclusion Task Force Final Report, as a basis for Wireless Minneapolis contract negotiations.

CONVENTION CENTER (271406)

Crowd Management Event Staffing Services: Authorize issuance of RFP for providing crowd management event staffing services at the Minneapolis Convention Center facility, for the period beginning January 1, 2007 through December 31, 2008.

Guest Baggage Services: Authorize execution of a contract with BAGS of Minnesota LLC to provide guest baggage services at the Minneapolis Convention Center facility, effective September 1, 2006.

FINANCE DEPARTMENT (271407)

Crawford & Company: Approve a) proper City officers to negotiate and execute a new contract to provide Liability Claims Administration for a five year period; and b) extension of the existing contract #C99-14637 to October 15, 2006 at the same administrative fee arrangement.

REGULATORY SERVICES (271408)

Mechanical Inspector: Authorize hire of Joseph Scharrer at Step 7, for Mechanical Inspector, Construction Code Services, in the Construction Inspections Unit.

ZONING AND PLANNING (See Rep):

MAYOR (271409)

Minneapolis Planning Commission: Mayoral appointments of Lauren Huynh and Lara Norkus-Crampton.

PLANNING COMMISSION/DEPARTMENT (271410)

Appeals:

Olin Crossing Phase II (re 4912 E 54th St, 5363, 5367 and 5371 Minnehaha Ave): re decision of the CPC approving applications for conditional use permit, variances and site plan review.

Archive Lofts (re 700-708 Central Ave NE and 119-123 7th St SE): re decision of CPC approving variance and site plan review.

Rezoning:

Archive Lofts (re 700-708 Central Ave NE and 119-123 7th St SE)

Kris Broberg (4100 Sheridan Ave S)

MOTIONS (See Rep):

COUNCIL MEMBER LILLIGREN (271410.1)

Calendar for City Council Meetings in 2007.

FILED:

CHARTER COMMISSION (271411)

Instant Runoff Voting: Transmittal letter from Charter Commission to City Council rejecting ordinance amendments to Chapter 2 of City Charter relating to Officers-Elections.

MINNESOTA STATE OFFICES-State Auditor (271412)

Ltr & Management & Compliance Report for the Library Board, yr ended 12-31-2005.

MINNESOTA STATE OFFICES-State Auditor (271413)

Community Planning & Economic Development Dept (CPED) Minneapolis State, Orpheum & PantagesTheatres Agreed-Upon Procedures, January 1 through December 19, 2005.

THE ACKERBERG GROUP c/o Margo Geffen (271414)

Permission to vacate the northern part of the alley between Emerson and Fremont Avenues North and 18th Avenue North and West Broadway for the renovations of 1101 W Broadway, 1831 Emerson Ave N and 1834-1838 Fremont Ave N.

SHERMAN ASSOCIATES INC (271415)

Permission to vacate part of the alley between Dupont Ave S and Colfax Ave S, between 28th St and 29th St and relocate part of said alley to have access at Dupont Ave S mid-block for condominium and apartment development.

The following reports were signed by Mayor Rybak on August 10, 2006. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolutions authorizing sale of the properties at 1518 Morgan Ave N for the fair market value estimated to be \$180,000; and 1316 - 14th Ave N for the fair market value estimated to be \$195,000, each to a qualified Home Ownership Works (HOW) Program Purchaser, subject to the following conditions:

- a) Land sale closings must occur on or before 60 days from a date of offer acceptance;
- b) Payment of holding costs of \$150 per month from the date of offer acceptance to the date of closing if land sale closing does not occur on or before 60 days from date of offer acceptance.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Your Committee further recommends approval of a second mortgage affordability loan in accordance with HOW Program guidelines of not more than \$30,000 for each property, if necessary.

Adopted 8/4/2006.

Resolution 2006R-400, authorizing sale of land Homeownership Works Program Disposition Parcel No HOME-55 at 1518 Morgan Ave N, was adopted 8/4/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-400

By Goodman

Authorizing sale of land Homeownership Works Program Disposition Parcel No HOME-55 (1518 Morgan Avenue North).

Whereas, the City of Minneapolis, hereinafter known as the City, has adopted Home Ownership Works Program Guidelines pursuant to which the City purchases residential properties that are renovated or upon which a new home is constructed which is then offered for sale to target buyers under the program; and

Whereas, the City has acquired Parcel HOME-55, in the HOW/HOME Program upon which the existing home was renovated or a new home was constructed, the Parcel HOME-55, being the following described land situated in the City of Minneapolis, County of Hennepin, and State of Minnesota to wit:

LEGAL DESCRIPTION of HOME-55; 1518 Morgan Ave N: Lot 13, Block 1, Rosedale Park; and

Whereas, the City has had the fair market value reviewed by an appraisal expert, stating that the fair market value opinion is consistent with accepted methods in aiding the City in determining market value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 14, 2006, a public hearing on the proposed sale was duly held on July 25, 2006 at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the fair market value in accordance with the City's Homeownership Works Program, as amended, is hereby estimated to be the sum of \$180,000 for Parcel(s) HOME-55.

Be It Further Resolved that the sale of the parcel pursuant to the Home Ownership Works Program is hereby determined to be in accordance with the City's approved Department of Community Planning & Economic Development disposition policy.

Be It Further Resolved that the sale of the parcel is hereby approved, subject to the execution of a contract for the sale of land consistent with the Home Ownership Works Program Guidelines and further subject to the following conditions; 1) land sale closing must occur on or before 60 days from the date of offer acceptance and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 60 days from the date of offer acceptance.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a contract to a qualified Home Ownership Works Program Purchaser; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to a qualified Home Ownership Works Program Purchaser in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 8/4/2006.

Resolution 2006R-401, authorizing sale of land Homeownership Works Program Disposition Parcel No HOME-54 at 1316 - 14th Ave N, was adopted 8/4/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-401

By Goodman

Authorizing sale of land Homeownership Works Program Disposition Parcel No HOME-54 (1316 - 14th Avenue North).

Whereas, the City of Minneapolis, hereinafter known as the City, has adopted Home Ownership Works (HOW) Program Guidelines pursuant to which the City purchases residential properties that are renovated or upon which a new home is constructed which is then offered for sale to target buyers under the program; and

Whereas, the City has acquired Parcel HOME-54, in the HOW/HOME Program upon which the existing home was renovated or a new home was constructed, the Parcel HOME-54, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of HOME-54; 1316 14th Ave N: Lot 9, Block 5, Gales Subdivisions in Sherburne & Beebe's Addition to Minneapolis; and

Whereas, the City has had the fair market value reviewed by an appraisal expert, stating that the fair market value opinion is consistent with accepted methods in aiding the City in determining market value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 14, 2006, a public hearing on the proposed sale was duly held on July 25, 2006 at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the fair market value in accordance with the City's Homeownership Works Program, as amended, is hereby estimated to be the sum of \$195,000 for Parcel HOME-54.

Be It Further Resolved that the sale of the parcel pursuant to the Home Ownership Works Program is hereby determined to be in accordance with the City's approved Department of Community Planning & Economic Development (CPED) disposition policy.

Be It Further Resolved that the sale of the parcel is hereby approved, subject to the execution of a contract for the sale of land consistent with the Home Ownership Works Program Guidelines and further subject to the following conditions; 1) land sale closing must occur on or before 60 days from the date of offer acceptance and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 60 days from the date of offer acceptance.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a contract to a qualified Home Ownership Works Program Purchaser; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to a qualified Home Ownership Works Program Purchaser in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 8/4/2006.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2826 - 14th Ave S to The Greater Metropolitan Housing Corporation (GMHC) for \$25,900, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

If GMHC fails to close, authorization is given for sale of said property to Powderhorn Community Council for \$25,900, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of the Department of Community Planning & Economic Development (CPED) notification;
- 2) Payment of holding costs of \$150 per month from the date of notification to the date of closing if land sale closing does not occur on or before 30 days from date of CPED notification.

The sale conditions may be waived or amended with the approval of the Director of CPED.

Adopted 8/4/2006.

Resolution 2006R-402, authorizing sale of land GMHC Century Homes Program/Model Cities Urban Renewal Disposition Parcel No GC-282/TF-690 at 2826 - 14th Ave S, was adopted 8/4/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-402
By Goodman

Authorizing sale of land GMHC Century Homes Program/Model Cities Urban Renewal Disposition Parcel No GC-282/TF-690 (2826 - 14th Avenue South).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel GC-282/TF-690, in the Midtown Phillips neighborhood, from The Greater Metropolitan Housing Corporation through the Century Homes Program, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel GC-282/TF-690, from Powderhorn Community Council (PCC) hereinafter known as the Alternate Redeveloper, the Parcel GC-282/TF-690, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of GC-282/TF-690; 2826 14th Ave S: Lot 1; That part of Lot 2 lying North of the South 14 feet of said Lot 2, all in Block 1, Shaw's Subdivision of Merriam And Shaws Addition To Minneapolis Minnesota; As evidenced by Certificate of Possessory Title No. 1178344; and

Whereas, the Redeveloper has offered to pay the sum of \$25,900, for Parcel GC-282/TF-690 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$25,900 for Parcel GC-282/TF-690 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 14, 2006, a public hearing on the proposed sale was duly held on July 25, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Model Cities Urban Renewal plan, as amended, is hereby estimated to be the sum of \$25,900 for Parcel GC-282/TF-690.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$150.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver a conveyance of the land to the Redeveloper or the Alternate Redeveloper as appropriate in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 8/4/2006.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2813 Bryant Ave S to Bryant Lofts, LLC for \$391,088, for development of the Track 29 Uptown Housing Project, and that the proper City officers be authorized to execute all necessary documents related thereto.

Adopted 8/4/2006.

Resolution 2006R-403, authorizing sale of land Track 29 Uptown (Phase II) (formerly Urban Village) Disposition Parcel No. UV-8B at 2813 Bryant Ave S, was adopted 8/4/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-403

By Goodman

Authorizing sale of land Track 29 Uptown (Phase II) (formerly Urban Village) Disposition Parcel No. UV-8B (2813 Bryant Avenue South).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel UV-8B, in the Lowry Hill East neighborhood, from Bryant Lofts, LLC, hereinafter known as the Redeveloper, the Parcel UV-8B, being the following described land situated in the City of Minneapolis, County of Hennepin, and State of Minnesota to wit:

LEGAL DESCRIPTION for UV-8B; 2813 Bryant Avenue South: Lot 1, Block 2, Hennessy Addition; PIN 33-029-24-44-0329; and

Whereas, the Redeveloper has offered to pay the sum of \$391,088, for Parcel UV-8B to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 14, 2006, a public hearing on the proposed sale was duly held on July 25, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Track 29 Uptown (Phase II) (formerly Urban Village) plan, as amended, is hereby estimated to be the sum of \$391,088 for Parcel UV-8B.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 8/4/2006.

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of A Chance to Grow Academy, a multi-service, non-profit agency that provides educational programs and consulting services, now recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$2.7 million in Tax-exempt 501(c)(3) Bank Qualified Bank Direct Revenue Bonds, Series 2006, to refinance the acquisition and rehabilitation of existing facility at 1800 - 2nd St NE.

Your Committee further recommends that the subject matter be forwarded to the Minneapolis Community Development Agency Board of Commissioners.

Adopted 8/4/2006.

Resolution 2006R-404, giving preliminary and final approval to and authorizing the refinancing of a project on behalf of A Chance to Grow, Inc at 1800-2nd St NE, and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor, was adopted 8/4/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-404
By Goodman

Giving preliminary and final approval to and authorizing the refinancing of a project on behalf of A Chance to Grow, Inc. (the "Company"), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue bond in an amount not to exceed \$2,700,000 (the "Bond") to refinance the acquisition and improvement by the Company of the Company's educational and related facilities located at 1800 2nd Street NE in the City; and

Whereas, the Agency expects to give final approval to the issuance of the Bond by a resolution to be adopted on the date hereof; and

Whereas, the Bond shall bear interest at an initial fixed interest rate (subject to adjustment) expected to not exceed 5.75% per annum, shall have a final maturity date not later than December 1, 2026, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bond in a principal amount of up to \$2,700,000 for the purpose of refinancing the educational and related facilities described above.

Be It Further Resolved that the Bond is hereby designated as a "Program Bond" and is determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 8/4/2006.

Comm Dev - Your Committee recommends that the City endorse the 2006 Metropolitan Council Livable Communities Demonstration Account grant application from the Hennepin County Housing and Redevelopment Authority requesting the amount of \$750,000 to assist in the redevelopment of the block between Lyndale Ave N, 6th St N, Lowry Ave and 31st Ave N, as part of the Hennepin County West Lowry Avenue Corridor Redevelopment. This grant application will not be put in priority order among the other LCDA grant applications submitted by the City of Minneapolis.

Adopted 8/4/2006.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing the City to file an application to register possessory title to the mined space parcel under the Guthrie theater property at 818-900 S 2nd St.

Adopted 8/4/2006.

Resolution 2006R-405, authorizing the City to file an application to register possessory title to mined space under the Guthrie Theater site at 818-900 S 2nd St, was adopted 8/4/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-405

By Goodman

Authorizing the City to file an application to register possessory title to mined space under the Guthrie Theater site.

Whereas, the Guthrie Theater Foundation (the "Guthrie") intends to register and then vertically subdivide the Guthrie Theater property at 818 - 900 South Second Street; and

Whereas, upon direction of the Hennepin County Examiner of Titles, the Guthrie has requested that the City of Minneapolis jointly apply to register possessory title to the mined space under the Guthrie Theater property;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City is authorized to file an application to register possessory title, to be signed by the Mayor and the City Clerk pursuant to Minnesota Statutes, Sections 508A.03 and 508.03(6), to the mined space parcel under the Guthrie Theater property at 818 South Second Street and 900 South Second Street.

Adopted 8/4/2006.

Comm Dev - Your Committee recommends that the proper City officers be authorized to negotiate the terms of a redevelopment agreement and land sale for City-owned property at 1800 Plymouth Ave N with Olson Development Consultants, Inc and Mississippi Pathways Development Company, LLC, as co-developers, and further to establish productive negotiations and completed terms within 8-12 months of final approval of this City Council action.

Adopted 8/4/2006.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee recommends that the proper City officers be authorized to prepare and execute a construction contract with Watson Forsberg Company for development of The Jourdain mixed-use rental housing development at 2000-2012 Portland Ave.

Adopted 8/4/2006.

Comm Dev & W&M/Budget - Your Committee, having under consideration the completion of the American Indian Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan by the Metropolitan Urban Indian Directors, on behalf of the American Indian Community in Minneapolis, now recommends:

- a) Approval of said Action Plan and specifically those parts of the Plan that fall under City jurisdiction, in an amount not to exceed \$537,208;
- b) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$268,604 in the NRP fund for implementation of said Plan;
- c) That the proper City officers be authorized to refer \$53,721 to the 2007 budget and to reserve the remaining \$214,883 for Plan implementation in a reserve account within Fund CNR0 for future years expenditures on the approved Plan provided that no more than 70% of the amount approved for the Plan (\$376,045) shall be obligated in the first three years after approval of the Plan; and
- d) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 8/4/2006.

RESOLUTION 2006R-406
By Goodman and Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the NRP Program Fund (CNR0-890-3550) by \$268,604.

Adopted 8/4/2006.

The **ELECTIONS** Committee submitted the following report:

Elections - Your Committee recommends that proposed Amendment No. 161 to the Minneapolis City Charter, which was rejected by the Charter Commission on August 2, 2006, be submitted to the qualified voters of the City for adoption or rejection at the general election to be held November 7, 2006,

pursuant to the provisions of Minnesota Statutes 410.12, Subd. 5, and that notice of such submission be given by the City Clerk by publication of such notice and said proposed amendment, in full, once a week for two successive weeks prior to November 6, 2006 in the *Star Tribune*, a newspaper of general circulation in the City of Minneapolis, and once in *Finance and Commerce*, the official newspaper of the City, and by posting notices of such election in each and all of the election districts of the City; and that in submitting said proposed Charter Amendment for adoption or rejection, your Committee recommends that the ballot shall bear the following words and question:

"PROPOSAL TO USE INSTANT RUNOFF VOTING FOR MINNEAPOLIS ELECTIONS

'Should the City of Minneapolis adopt Single Transferable Vote, sometimes known as Ranked Choice Voting or Instant Runoff Voting, as the method for electing the Mayor, City Council, and members of the Park and Recreation Board, Library Board, and Board of Estimate and Taxation without a separate primary election and with ballot format and rules for counting votes adopted by ordinance?'

Yes _____

No _____"

Adopted 8/4/2006. Yeas, 12; Nays, 1 as follows:

Yeas - Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges.

Nays - Johnson.

Following is the text of the proposed Charter Amendment:

**PROPOSED CHARTER
AMENDMENT NO. 161**

"Amending Chapter 2 of the Minneapolis City Charter relating to Officers—Elections, eliminating primary elections for city offices, amending filing dates, and allowing for Single Transferable Vote, sometimes known as Ranked Choice Voting or Instant Runoff Voting.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 2, Section 5 of the Minneapolis City Charter be amended to read as follows:

Section 5. Primary Elections Candidate Filing. Prior to January 1st of the election year, the City Council shall fix and determine the dates for the City Primary Election and the opening and closing dates for the filing of candidates for office. ~~Such election shall be held at least 40 days prior to the General Election and the~~ The time allowed for the filing of candidates for office shall never be less than 15 days (and the closing date of such filing shall never be less than ~~30~~ 40 days), before the ~~Primary~~ General Election.

Section 5A. Conduct of Elections. Notwithstanding the provisions of Minnesota Statutes, Section 205.17, subdivision 2, or any other provision of law and except as otherwise provided in this section, the City ~~Primary Election and General Election~~ for Mayor and City Council shall be conducted in the manner provided by law for elections for nonpartisan offices. ~~All candidates for Mayor and City Council shall run for nomination in the city primary election.~~ All such candidates shall, however, state the name of their political party or political principle, stated in three words or less, on their affidavits of candidacy and affidavits of candidacy for Mayor and City Council shall otherwise conform with all requirements of the Minnesota general election laws pertaining to affidavits of candidacy for partisan offices. The political party or political principle shall be placed on the ~~Primary and General Election~~ ballots with the names of the candidates for such offices.

Section 5B. Voting Method. The elected officers shall be elected by the method of Single Transferable Vote, sometimes known as Ranked Choice Voting or Instant Runoff Voting. The City Council shall, by ordinance, establish the ballot format and rules for counting the votes. The method shall be used for the first municipal election after adoption and all subsequent elections unless the City Council certifies, by ordinance, no later than four months prior to the election, that the City will not be ready to implement the method in that election. Such certification must include the reasons why the City is not ready to implement the method.

Section 2. That Chapter 2, Section 6 of the Minneapolis City Charter be amended to read as follows:

Section 6. Election Judges—Council to Fix Compensation. The City Council shall at least 14 days before any special, ~~primary~~ or general City Election appoint such judges of election as may be necessary to constitute a full board for every election precinct, as provided by general laws. The compensation of elections judges shall be forty (40) percent greater than the prevailing minimum wage as defined by state law unless the City Council sets a different rate.

This amendment shall become effective January 1, 2000.

Section 3. That Chapter 2, Section 8 of the Minneapolis City Charter be amended to read as follows:

Section 8. City Council to Provide Ballots and Ballot Boxes. The City Council shall provide all necessary ballots and ballot boxes to be used for each general, ~~primary~~ and special election held in the City for the election of City officers or for any other City purposes.

Section 4. That Chapter 2, Section 9 of the Minneapolis City Charter be amended to read as follows:

Section 9. Ballot at City Election. The names of all candidates to be voted on at any general City election, ~~City primary election~~ or special election for City purposes shall be placed on one ballot. Regardless of whether they are contested or uncontested, the offices on the ballot shall be in the following order: Mayor; Council Member; Board of Estimate and Taxation Member; Park and Recreation Commissioner at Large; Park and Recreation Commissioner by District; Library Board Member.

Section 5. That Chapter 2, Section 11 of the Minneapolis City Charter be amended to read as follows:

Section 11. City Clerk to Give Notice of Time and Places of Holding Elections. The City Clerk shall give notice of the time and places of holding general city elections ~~and at the same time and in the same notice give notice of the time and places of holding primary elections~~, which notice shall be given at least 15 days before the ~~primary~~ general city election, and unless otherwise specifically provided for in this Charter, the City Clerk shall give 15 days' notice of the time and places of holding special elections.

Section 6. That Chapter 2, Section 12 of the Minneapolis City Charter be amended to read as follows:

Section 12. In Case of Tie Vote. When two or more candidates for any elective city office shall receive an equal number of votes at the ~~primary election~~, general city election or at a special election, ~~and such number votes would be sufficient to elect or nominate at least one of the candidates receiving such number of votes~~, the election shall be determined as between those candidates by the casting of lots in the presence of the City Council at such time and in such manner as the City Council shall direct.

Section 7. That Chapter 2, Section 13 of the Minneapolis City Charter be amended to read as follows:

Section 13. Filing for Nominations-Election. All candidates for ~~nomination~~ election at any city election shall file their affidavit for such ~~nomination~~, election and pay their fee therefor, in the same manner as provided in the general election laws of the State of Minnesota, except only that such filing shall be made with, and such fee paid to the City Clerk instead of the County Auditor, and such filing must be made, and the fee therefor paid, not later than the ~~30th~~ 40th day preceding the ~~primary~~ general election.

Section 8. That Chapter 2, Section 15 of the Minneapolis City Charter be amended to read as follows:

Section 15. General Laws to Govern Elections—Exceptions. Notwithstanding the other provisions of this chapter relating to Instant Runoff Voting, all general laws of the State of Minnesota relating to ~~primaries and~~ elections and the preliminaries thereto, unless this Charter otherwise specifically provides, shall, so far as applicable, apply and govern all elections under this Charter and the same are hereby adopted and made part of this Charter.

Section 9. That Chapter 2, Section 16 of the Minneapolis City Charter be amended to read as follows:

Section 16. Vacancy in Office of Mayor and Council Members—How Filled. Whenever any vacancy shall occur in the office of Mayor or in the office of any Council Member prior to March 1st of the year of the general City election for the office of Mayor or Council Member, it shall be filled for the unexpired term by a special election ordered by the City Council and held City-wide if the vacancy is in the office of the Mayor or held in the applicable ward if the vacancy is in the office of a Council Member. The special election shall be held within seventy-five (75) days after such vacancy shall occur.

For the purpose of selecting the candidates to be voted on at such special election, the Council shall ~~fix the date of a primary election to be held not less than thirty-five (35) days prior to such special election, and shall also~~ fix the dates for filing of candidates for such office which shall be for a period of not less than eight (8) days, and the closing date for such filing shall not be less than ~~twenty (20)~~ forty (40) days prior to the date fixed for the ~~primary~~ special election. All provisions of this Charter pertaining to ~~primary and~~ special elections shall apply to any ~~primary or~~ special election provided for by this section, except as otherwise specifically provided herein.

Until the vacancy in the office of Mayor has been filled by the special election, the then President of the City Council shall take the oath of office of, and become, and shall be styled Acting Mayor for the interim period, and as such shall exercise all the powers and discharge all the duties of Mayor, and while so acting shall be entitled to the salary of Mayor, but such salary shall be in lieu of, and not additional to, the salary as Council Member in [the] event such person shall occupy both offices.

Whenever any vacancy shall occur in the office of Mayor on or after March 1st of the year of the general City election for the office of Mayor, the then President of the City Council shall fill the vacancy for the remainder of the vacated term in the same manner as provided above.

Whenever any vacancy occurs in the office of any Council Member on or after March 1st of the year of the general City election for the office of Council Member, such vacancy shall be filled by the City Council appointing a qualified voter from the ward for which the vacancy exists, to hold office for the remainder of such unexpired term, provided that no such appointment shall be made after the opening date for filing for such position in the next ensuing city ~~primary~~ general election.

When a vacancy for Council Member exists on or after the first date for filing, the person elected at the general City election, upon certification of the general City election results, shall fill the position for the remainder of the unexpired term."

The **HEALTH, ENERGY & ENVIRONMENT** Committee submitted the following reports:

HE&E – Your Committee recommends concurrence with the recommendation of the Mayor to appoint James Hanson, Ward 7, to the Minneapolis Advisory Committee on People with Disabilities for a two-year term to expire December 31, 2007.

Adopted 8/4/2006.

HE&E – Your Committee recommends that Mayor Rybak be authorized to sign the Program Year (PY) 2006/2007 Local Plan for the Workforce Investment Act (WIA), for the period July 1, 2006 through June 30, 2007. The plan describes the operation of the WIA programs for adults and dislocated workers.

Adopted 8/4/2006.

The **HEALTH, ENERGY & ENVIRONMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

HE&E & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a three-year contract with the Minnesota Counties Research Foundation, in an amount not to exceed \$300,000, to act as fiscal agent for the Emergency Communications and Health Outreach (ECHO) Project during the period July 1, 2006 through June 30, 2009.

Adopted 8/4/2006.

HE&E & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with Portico Healthnet, in an amount not to exceed \$90,000 annually, to provide health care coverage assistance services through the Family Connection Center during the period August 7, 2006 through June 30, 2008. The contractor will serve families of children enrolling in Minneapolis Public Schools who speak limited English and need assistance with applications for health insurance.

Adopted 8/4/2006.

HE&E & W&M/Budget – Your Committee recommends that the proper City officers be authorized to establish a new grant funded position of Code Compliance Officer I to be used during the term of the United States Department of Housing and Urban Development Round XII Lead Hazard Reduction Project.

Adopted 8/4/2006.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, having under consideration the application of Local LLC, dba Local – An Epicurean Cafe & Pub, 931 Nicollet Mall, for an On-Sale Liquor Class C-1 with Sunday Sales License (expansion of premises for expanded sidewalk cafe area) to expire October 1, 2006, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 8/4/2006.

PS&RS - Your Committee recommends granting the following application for liquor, wine and beer licenses:

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2007

WJ&M Inc, dba Corner Bar, 1501 Washington Av S (internal transfer of shares).

Adopted 8/4/2006.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.
Adopted 8/4/2006.

Resolution 2006R-407, granting applications for Business Licenses, was adopted 8/4/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-407
By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of August 4, 2006 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 271395):

Dancing School; Confectionery; Grocery; Food Manufacturer; Meat Market; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Vending Machine; Gasfitter Class A; Lodging House; Lodging House with Boarding; Motor Vehicle Dealer – Used Only; Motor Vehicle Repair Garage; Commercial Parking Lot Class A; Pet Shop; Precious Metal Dealer; Public Market; Exhibition Operator Class A; Solicitor – Company; Solicitor – Individual ;Secondhand Goods Class B; Antique Dealer Class B; Antique Mall Operator Class B; Solid Waste Hauler; Swimming Pool – Public; Tattooist/Body Piercer; Taxicab Vehicle; Tobacco Dealer; Combined Trades; Tree Servicing.

Adopted 8/4/2006.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.
Adopted 8/4/2006.

Resolution 2006R-408, granting applications for Gambling Licenses, was adopted 8/4/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-408
By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Gambling Lawful Exempt

Church of St. Austin, dba Church of St. Austin, 4050 Upton Av N (Raffle July 22, 2006 at 4050 Upton Av N or in outdoor parking lot)

Church of Our Lady of Peace, dba Church of Our Lady of Peace, 5426 12th Av S (Bingo, Raffle, Paddlewheels September 24, 2006 at 5435 11th Av S)

Peace House Foundation, dba Peace House Foundation, 6581 City West Parkway, Eden Prairie (Raffle October 28, 2006 at International Market Square, 275 Market St)

Church of the Holy Name, dba Church of the Holy Name, 3637 11th Av S (Bingo, Raffle and Pulltabs October 15, 2006 at 1120 E 27th St).

Holy Rosary Church, dba Holy Rosary Church, 2424 18th Av S (Raffle and Paddlewheel October 8, 2006).

Adopted 8/4/2006.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Business Licensing Pre-Enforcement Recommendations relating to the On-Sale Liquor License held by D'Amico Cucina, 100 N 6th St.

Adopted 8/4/2006.

Resolution 2006R-409, approving Business Licensing Pre-Enforcement Recommendations relating to the On-Sale Liquor License held by D'Amico Cucina, 100 N 6th St, was adopted 8/4/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-409

By Samuels

Approving Business Licensing Pre-Enforcement Recommendations relating to the On-Sale Liquor License held by D'Amico Cucina, 100 N 6th St.

Whereas, the Licenses & Consumer Services Division held a Business Licensing Pre-Enforcement Meeting on February 1, 2006 with the licensee to discuss issues related to the operation of D'Amico Cucina located at 100 N 6th St; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that despite the training provided by D'Amico Cucina, on two separate occasions in the bar area in a period of less than eight months, employees of D'Amico Cucina sold alcohol to persons under the age of 21, in violation of Section 370.10 of the Minneapolis Code of Ordinances, Minnesota Statute 340A.503 Subdivision 2(1), and the established compliance check policy and procedures of the City of Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the On-Sale Liquor License issued to D'Amico Cucina shall be subject to adverse license action up to and including revocation, with the commencement of such adverse license action stayed through and including January 25, 2007, subject to full compliance with the following conditions, and in accordance with said Findings on file in the Office of the City Clerk, which are hereby made a part of this resolution by reference:

1. it is strongly suggested that D'Amico Cucina require all customers who purchase alcohol to produce identification as listed in Minnesota Statute Section 340A.503, Subdivision 6. D'Amico Cucina agrees to use its best efforts to take any necessary steps to assure persons under the age of 21 are properly identified when alcohol purchases are made.

2. Should the licensee violate any provision of this Agreement while it is in effect, it shall be subject to additional adverse license action by the City Council, including license suspension or license revocation. Any sales of alcohol completed by the licensee occurring during a prescribed suspension period hereunder shall be considered unlicensed sales of alcohol in violation of State statute and Minneapolis ordinance.

3. A properly trained manager or owner must be on-site during business hours at all times.

4. This Agreement does not alter any previously imposed license conditions.

5. The licensee is aware that it will be subject to additional compliance checks during the term of this Agreement. As is the policy of the City of Minneapolis, the decoys will at all times respond truthfully to any questions asked of them by employees or sales clerks of the licensee, and, if asked, will present their actual duly-issued age identification.

6. This Agreement shall not preclude any other adverse license action, including but not limited to suspension or revocation, for subsequent violations of this Agreement, or for subsequent violations or subsequently-discovered violations of any federal, state or local laws, ordinances, or regulations.

7. This Agreement shall remain in effect through and including January 25, 2007. It is understood between the parties that this Agreement shall bind only the present licensee and will not bind any subsequent, unrelated person or persons should the business be sold and a new license approved.

8. It is understood between the parties that the terms of this Agreement shall apply only to operations at D'Amico Cucina and not other establishments that may be owned or operated by the principals of the license holder. Additional adverse licensing action taken against D'Amico Cucina will not, in and of itself, be sufficient grounds for adverse licensing action against other establishments owned or operated by the license holder.

9. The licensee's prior payment of \$1,500 in administrative fines constitutes the full monetary penalty imposed in this matter.

Adopted 8/4/2006.

PS&RS – Your Committee, having under consideration the application of Entertainment Concepts LLC, dba Divas Gentlemen's Club, 417 2nd Av N, for Restaurant and Place of Entertainment Licenses to expire April 1, 2007, and having held a license hearing thereon to consider whether the requirements of Section 549.350 of the Minneapolis Code of Ordinances have been met with regard to not allowing a sexually oriented use within 500 feet of a religious institution place of assembly, now recommends the following:

- a. that the Place of Entertainment License (new business) be denied.
- b. that the Restaurant License (new business) be granted.

Your Committee further recommends that the Findings of Fact, Conclusions and Recommendations on file in the Office of the City Clerk be adopted and made a part of this report by reference.

Schiff moved that the report be amended by deleting the language in item "a" and replacing it with the following:

"a. that the Place of Entertainment License (new business) be granted)." Seconded.

Adopted. Yeas, 10; Nays, 3 as follows:

Yeas – Hofstede, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Johnson.

Nays – Samuels, Gordon, Ostrow.

The report, as amended, was adopted 8/4/2006. Yeas, 10; Nays, 3 as follows:

Yeas – Hofstede, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Johnson.

Nays – Samuels, Gordon, Ostrow.

PS&RS - Your Committee, having under consideration the following properties which have been deemed by the Director of Inspections to constitute nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City officers be authorized to demolish the following properties, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and are hereby made a part of this report by reference.

a. 1128 Lincoln St NE, legally described as Lot 8, Block 3, Martins Addition to Minneapolis (PID #13-029-24-24-0078).

b. 2018 James Av N, legally described as Lot 42, Block 17, Forest Heights (PID #16-029-24-24-0121).

Adopted 8/4/2006.

PS&RS - Your Committee, having under consideration the property located at 1626 E Lake St which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to demolish said property legally described as Lot 35 and the West 12 feet of Lot 36, Heaton's Addition to Minneapolis (PID #35-029-24-44-0130), in accordance with the Findings

of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and are hereby made a part of this report by reference.

Adopted 8/4/2006.

PS&RS – Your Committee, having under consideration the rental dwelling licenses held by Jay Petsche for the properties located at 309 24th Av N; 420 30th Av N; 3627 Lyndale Av N; 2228 Bryant Av N; 3514 Colfax Av N; 2334 Logan Av N; and 4418 Nicollet Av, and having received Findings of Fact and a recommendation by the Director of Inspections to revoke, deny, or non-renew said licenses as a result of two of the licenses being cancelled at 2334 Logan Av N and 4418 Nicollet Av due to condemnation of the buildings; and having held a license hearing thereon, now recommends concurrence with the Director of Inspections to revoke, deny or non-renew the rental dwelling licenses held by Jay Petsche for the premises at 309 24th Av N; 420 30th Av N; 3627 Lyndale Av N; 2228 Bryant Av N; 3514 Colfax Av N; 2334 Logan Av N; and 4418 Nicollet Av; and that Mr. Petsche be deemed ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of five years, in accordance with Section 244.1910 (13) of the Minneapolis Code of Ordinances.

Adopted 8/4/2006.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an agreement with the State of Minnesota Department of Health for the Fire Department to participate in the Alarmed and Alert Smoke Alarm Program to coordinate fire safety education and smoke alarm installation activities in the community; and to accept \$4,000 from the Minnesota Department of Health to reimburse the Fire Department for program related costs. Further, passage of the accompanying resolution appropriating \$4,000 to the Fire Department.

Adopted 8/4/2006.

RESOLUTION 2006R-410
By Samuels and Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants - Federal Fund (030-280-2820) by \$4,000 and increasing the Revenue Source (030-280-2820 – Source 3210) by \$4,000.

Adopted 8/4/2006.

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to accept a Speed Limit Enforcement Grant award of \$7,200 and execute an agreement with the Minnesota Department of Public Safety, State Patrol Division, to reimburse police officer overtime for increased enforcement targeting speed violations and other enforcement to reduce accidents. Further, passage of the accompanying resolution appropriating \$7,200 to the Police Department.

Adopted 8/4/2006.

RESOLUTION 2006R-411
By Samuels and Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-DT13) by \$7,200 and increasing the Revenue Source (030-400-DT13 – Source 3210) by \$7,200.

Adopted 8/4/2006.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute one-year contracts with Fairbault Harley-Davidson to provide the Police Department with 11 police equipped motorcycles for Patrol, for an estimated total amount of \$15,400, plus service and maintenance.

Adopted 8/4/2006.

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to accept a grant award of \$3,000 and execute a grant agreement with the Minnesota Commissioner of Public Safety to support liquor compliance to reduce underage drinking in the City, specifically to be used in the Second Precinct for enforcement and investigation to address “party houses” in the University of Minnesota area. Further, passage of the accompanying resolution appropriating \$3,000 to the Police Department.

Adopted 8/4/2006.

RESOLUTION 2006R-412
By Samuels and Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-C201) by \$3,000 and increasing the Revenue Source (030-400-C201 – Source 3210) by \$3,000.

Adopted 8/4/2006.

PS&RS & W&M/Budget – Your Committee, having under consideration report passed April 15, 2005 awarding the low bid under OP #6400 for furnishing and delivering all labor, materials, equipment, disposal fees and incidentals necessary to accomplish rubbish and refuse removal from public and private property at various locations, now recommends that the proper City officers be authorized to increase Contract #C-21987 with Trades Unlimited, Inc, for a new estimated two-year expenditure of \$400,000, by reallocating \$100,000 from existing contracts that have lower than expected expenditures.

Adopted 8/4/2006.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee, having under consideration the completion of the Supervisory Control and Data Acquisition System (SCADA) at the Water Works Complex, now recommends that the proper City officers be authorized to amend Contract No. C98-13127 with EMA Services, Inc., extending the contract completion date to December 31, 2006.

Adopted 8/4/2006.

Absent - Hofstede.

T&PW - Your Committee, having under consideration an application for a large block event permit for the Uptown Art Fair, to be held August 4 through August 6, 2006, now recommends now recommends that the block event be allowed to operate outside the time frame allowed under Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Block Events*.

Your Committee further recommends approving the closure of Hennepin Av S from 28th to 31st Streets W for the event (the intersections of Lagoon Av S and Lake St W will remain open to traffic).

Adopted 8/4/2006.

Absent - Hofstede.

T&PW - Your Committee, having under consideration the transfer of the Transtop Bus Shelter Franchise to CBS Outdoor, now recommends:

- a) That the proper City officers be authorized to develop and negotiate terms and changes to Appendix G of the Minneapolis Code of Ordinances relating to *Bus Stop Shelters Franchise*;
- b) That the proper City officers send official notice to Transtop, as set forth in Appendix G, that additional time is needed to consider the transfer; and
- c) That a public hearing be set for August 22, 2006 to consider the matter.

Adopted 8/4/2006.

Absent - Hofstede.

T&PW - Your Committee, having under consideration the appeal filed by APEX Asset Management Corporation for the Carlyle Condominiums, 100 3rd Avenue South, from the decision of the Public Works Engineering Design Division which denied the application of an encroachment permit for the installation of raised architectural precast planters in the City right-of-way along 3rd Av S between 1st and 2nd St S (Petr. No. 271402), now recommends that said appeal **be sent forward without recommendation**.

Colvin Roy moved that the report be postponed. Seconded.

Adopted 8/4/2006.

Absent - Hofstede.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Non-Motorized Transportation Pilot Project Grant Agreements, now recommends:

T&PW:

- a) That the proper City officers be authorized to execute the MnDOT (Pass Through Grant) Agreement between the State of Minnesota and the City of Minneapolis to provide up to \$996,000 in Federal grant funding for the Non-Motorized Transportation Pilot Project in effect for the period of June 7, 2006 through December 31, 2006 (Petr. No. 271403);
- b) That the proper City officers be authorized to execute an agreement with Transit for Livable Communities (TLC) to perform specific work efforts as outlined in, and in accordance with, MnDOT Agreement No. 89757, which provides up to \$996,000 in Federal grant funding in effect for the period of June 7, 2006 through December 31, 2006; and
- c) Passage of the accompanying resolution increasing the appropriation and revenue for the project by \$996,000.

W&M/Budget:

- a) That the proper City officers be authorized to execute the MnDOT (Pass Through Grant) Agreement between the State of Minnesota and the City of Minneapolis to provide up to \$996,000 in Federal grant funding for the Non-Motorized Transportation Pilot Project in effect for the period of June 7, 2006 through December 31, 2006 (Petr. No. 271403);
- b) That the proper City officers be authorized to execute an agreement with Transit for Livable Communities (TLC) to perform specific work efforts as outlined in, and in accordance with, MnDOT Agreement No. 89757, which provides up to \$996,000 in Federal grant funding in effect for the period of June 7, 2006 through December 31, 2006;
- c) Passage of the accompanying resolution increasing the appropriation and revenue for the project by \$996,000; and
- d) Passage of the accompanying resolution appointing the Commissioner of Transportation as Agent of the City of Minneapolis to accept federal aid funds which may be made available for eligible transportation-related projects.

Colvin Roy moved to amend the report to approve the Ways & Means/Budget recommendation and to delete the recommendation of the Transportation & Public Works Committee. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 8/4/2006.

Absent - Hofstede.

RESOLUTION 2006R-413
By Colvin Roy and Ostrow

Amending The 2006 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in PW-Transportation Capital Agency in the Grants-Federal Fund (0300-943-9462) by \$996,000; and increasing the revenue source (0300-943-9462 Source-3210) by \$996,000.

Adopted 8/4/2006.

Absent - Hofstede.

Resolution 2006R-414, appointing the Commissioner of Transportation as Agent of the City of Minneapolis to accept federal aid funds made available for eligible transportation projects, was adopted 8/4/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-414
By Colvin Roy and Ostrow

Appointing the Commissioner of Transportation as Agent of the City of Minneapolis.

Resolved, by The City Council of The City of Minneapolis:

That pursuant to Minnesota Statute Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of Minneapolis to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

Be It Further Resolved, that the proper City officers are hereby authorized and directed for and on behalf of the City of Minneapolis to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 89757", a copy of which said agreement was before the City Council and which is made a part hereof by reference.

Adopted 8/4/2006.

Absent - Hofstede.

T&PW & W&M/Budget - Your Committee, having under consideration the Central Av NE Paving Project, now recommends that the proper City officers be authorized to amend Contract C-10776 with Park Construction Company, increasing the contract by \$1,713,919.72, for a revised contract total of \$7,495,746.00, and extending the contract expiration date from December 31, 2005 to December 31, 2007. No additional appropriation required.

Adopted 8/4/2006.

Absent - Hofstede.

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids submitted to the Public Works Department:

a) OP 6624, low bid of Veit and Company, Inc., in the amount of \$1,806,691, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the Heritage Park Hope VI stormwater ponds and park improvements; and

b) OP 6633, low bid of Burner Services, Inc., in the amount of \$38,700, to furnish all labor, material, equipment, and incidentals necessary for the removal and replacement of the hot water boiler at the Government Center Parking Ramp.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department. (Petr. No. 271403).

Adopted 8/4/2006.

Absent - Hofstede.

Approved by Mayor Rybak 8/4/2006.

(Published 8/8/2006)

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee recommends that the City Attorney be authorized to proceed with the settlement of Ren Xin Qiu v. the City of Minneapolis, Don Peddler, Linda Marie Monroe, and Choice Auto Rental, Inc., by payment of \$3,000 to Ren Xin Qiu and his attorney, Mark Stephenson; payable from fund (6900-150-1500-6850).

Your Committee further recommends that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

Adopted 8/4/2006.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) to provide crowd management event staffing services for the Minneapolis Convention Center facility for the period beginning January 1, 2007 through December 31, 2008, with three one-year renewable options, at an estimated annual cost of \$900,000; payable from the Convention Center Operations Fund and Agency (0760-MCC).

Adopted 8/4/2006.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute a contract with BAGS of Minnesota LLC, for providing guest baggage services for the Minneapolis Convention Center facility, effective September 1, 2006, for an initial period of two years with three one-year renewable options, at an estimated annual cost of \$50,000; payable from the Convention Center Operations Fund and Agency (0760-MCC).

Adopted 8/4/2006.

W&M/Budget - Your Committee recommends the following:

a) That the proper City officers be authorized to negotiate and execute a new contract with Crawford & Company to provide Liability Claims Administration for a five year period at an estimated \$185,582 for the first year, 2% increase on the second year, 4% increase on the third and fourth year, and a 5% increase on the fifth year; contract period to begin on October 1, 2006. Monthly allocated expenses may increase dependent on the volume of specialized claims, court appeals, or emergency responses; and

b) Authorize the extension of Contract #C99-14637 with Crawford & Company to continue in the provision of Liability Claims Administration services to October 15, 2006 at the same administrative fee arrangement. The total sum estimated to be expended in administrative fees for this period will be \$143,100.

Adopted 8/4/2006.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to hire Joseph Scharrer at Step 7 of the salary scale for the position of Mechanical Inspector, Construction Code Services, in the Construction Inspections Unit of Regulatory Services.

Adopted 8/4/2006.

W&M/Budget - Your Committee, having received the report on the Digital Inclusion Advisory Team/Community Benefits Recommendations Process, now recommends adoption of the Wireless Minneapolis Digital Inclusion Task Force Final Report of July 17, 2006, as a basis for Wireless Minneapolis contract negotiations.

Adopted 8/4/2006.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee recommends confirmation of the Mayoral appointment of Lauren Huynh (Ward 13, replacing Michael Krause), and Lara Norkus-Crampton (Ward 10, replacing Judith Martin), to the Minneapolis Planning Commission, for terms of office to commence August 15, 2006, and to expire January 31, 2008.

Adopted 8/4/2006.

Z&P - Your Committee, having under consideration the appeal filed by the Nokomis East Neighborhood Association from the decision of the Planning Commission which granted applications of Olin Crossing Phase II for a conditional use permit for 43 dwelling units; a variance to increase the floor area ratio of the building from 2.04 to 2.52; a variance to reduce the minimum lot size requirement from 763 square feet per dwelling unit to 586 square feet per dwelling unit; and site plan review, all for construction of a 43-unit condominium building at 4912 E 54th St, 5363, 5367 and 5371 Minnehaha Ave, now recommends that said appeals be granted and the applications denied, with the exception of approving the application for conditional use permit, as amended to approve 33 dwelling units.

Your Committee further recommends that the Findings prepared by the City Attorney and on file in the Office of the City Clerk be adopted and made a part of this report by reference.

Schiff moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

Z&P - Your Committee, having under consideration the appeal filed by the Nokomis East Neighborhood Association from the decision of the Planning Commission which granted applications of Olin Crossing Phase II for a conditional use permit for 43 dwelling units; a variance to increase the floor area ratio of the building from 2.04 to 2.52; a variance to reduce the minimum lot size requirement from 763 square feet per dwelling unit to 586 square feet per dwelling unit; and site plan review, all for construction of a 43-unit condominium building at 4912 E 54th St, 5363, 5367 and 5371 Minnehaha Ave, now recommends that said appeals be granted and the applications denied, and further recommends that the Findings prepared by the City Attorney and on file in the Office of the City Clerk be adopted and made a part of this report by reference.

The substitute report was adopted 8/4/2006.

Z&P - Your Committee, having under consideration the appeal filed by 700 Central Development, LLC from the decision of the Planning Commission granting applications for a variance of the interior side yard along the east property to 7 feet, subject to conditions; and the condition placed on site plan review which reads, “all rooflines incorporated within the development shall be flat”, to allow for renovation of existing buildings as well as additions to the existing structures for the Archive Lofts mixed-use residential and commercial development at 700-708 Central Ave NE and 119-123 7th St SE, now recommends that said appeal be granted in part, by granting the appeal of the variance of the interior side yard along the east property as amended to 3 feet, as originally requested by applicant; and b) denying the appeal of the condition of site plan review, and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

Adopted 8/4/2006.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of 700 Development LLC, (BZZ-2953) to rezone the properties at 700-708 Central Ave NE and 119-123 7th St SE from I1 to the C3A District and by removing the Industrial Living Overlay District to allow for renovation of existing buildings as well as additions to the existing structures for the Archive Lofts mixed-use residential and commercial development, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 8/4/2006.

Ordinance 2006-Or-093 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 700-708 Central Ave NE and 119-123 7th St SE to the C3A District and removing the Industrial Living Overlay District, was adopted 8/4/2006 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2006-Or-093
By Schiff
1st & 2nd Readings: 8/4/2006

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land (700-708 Central Ave NE and 119-123 7th St SE - Plate 14) to the C3A District and removing the Industrial Living Overlay District pursuant to MS 462.357:

Tract A: Lot 2, Block 33, Mill Company's Addition to the Town of St. Anthony Falls (123 7th Street SE); AND Lot 3, Block 33, Mill Company's Addition to the Town of St. Anthony Falls; except the rear 35 feet thereof (119-7th Street SE).

Tract B: Lots 4 and 5, Block 33 Mill Company Addition to the town of St. Anthony Falls (700 Central Ave. NE), all situated in Hennepin County, Minnesota.

Adopted 8/4/2006.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in denying the petition of Kris Broberg (BZZ-2919) to rezone the property at 4100 Sheridan Ave S from R1 to the R4 District to legalize a fourth unit in an existing structure, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Adopted 8/4/2006.

MOTIONS

Ostrow moved that the regular payrolls for all City employees under City Council jurisdiction for the month of September, 2006, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 8/4/2006.

Absent – Samuels.

Lilligren moved to approve the calendar for City Council meetings in 2007, as set forth in Petn No 271410.1 on file in the Office of the City Clerk. Seconded.

Adopted 8/4/2006.

Absent – Samuels.

Glidden moved to grant the license application submitted by Paul Thomas Investments LLC, dba Nokomis Lanes and Eatery, 4040 Bloomington Av S, for a Bowling Alley License (new proprietor), to expire April 1, 2007. Seconded.

Adopted 8/4/2006.

Absent – Samuels.

Ostrow introduced the subject matter of an ordinance amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Taxicabs*, which was given its first reading and referral to the Public Safety & Regulatory Services Committee (repealing the requirement that the City Council conduct periodic public convenience and necessity hearings; increasing the authorized number of taxicab licenses issued; adding license fees applicable to wheelchair accessible, fuel efficient and alternative fuel taxicabs; amending the reference to seasonal licenses while deleting the reference to limited licenses; and repealing the section which authorizes additional taxicabs to conduct studies concerning taxicab service and fares).

Johnson moved to designate the following appointments to the Ballpark Implementation Committee:

Frank Guzzetta, Chair/CEO Macy's North and North Loop resident,
David Frank, President North Loop Neighborhood Association, and
Paul Ostrow representing the North Star Corridor Group. Seconded.

Adopted 8/4/2006.

Gordon introduced the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, which was given its first reading and referral to the Public Safety & Regulatory Services Committee (adding provisions to Rental Licenses to require additional application information, to make violations of Title 5, Building Code, grounds for license revocation or refusal to renew, and to make continuing violations of Title 12, Chapter 244 and unpaid water bills grounds for refusal to renew).

NEW BUSINESS

Hofstede introduced an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: In General*, which was given its first reading and referral to the Public Safety & Regulatory Services Committee (amending Business License Management Responsibilities to add the requirements of Title 10, Food Code, relating to existing minimum standards and conditions in order to hold a license, provisional license, or permit).

Lilligren moved to adjourn to Tuesday, August 15, 2006 at 4:00 p.m. in Room 317, City Hall, for the purpose of receiving the Mayor's Budget Address. Seconded.

Adopted upon a voice vote 8/4/2006.

Steven J Ristuben,
Assistant City Clerk.

Unofficial Publication: 8/07/2006
Official Publication: 8/11/2006
Corrections: 9/20/2006